



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC UTILITY CONTROL

THE ENERGY & TECHNOLOGY COMMITTEE

Senate Bill 1169: AAC ROAD CUTS

March 17, 2011

TESTIMONY OF THE DEPARTMENT OF PUBLIC UTILITY CONTROL

The Department of Public Utility Control (Department) thanks the Committee for this opportunity to testify on Senate Bill No. 1169 and has the following requests for clarification.

In effect, this bill would require a public service company that works on a public highway for repairs or installations, to document its work by notice and identifying the name of the contractor for the repairs, to the public works departments of a municipality in which the work is conducted. The bill also requires that for one year after such notice, that the utility and the contractor share the responsibility for any additional repairs deemed needed by the municipal public works department. The Department notes that procedures public service companies must follow already exists in statute, specifically, Con. Gen. Stat. § 16-229 states in pertinent part:

Any public service company incorporated under the provisions of the statutes or by special act for the purpose of transmitting or distributing gas, water or electricity or for telephone purposes, desiring to open or make any excavation in a portion of any public highway for the carrying out of any purpose for which it may be organized other than the placing or replacing of a pole or of a curb box, shall, if required by the authority having jurisdiction over the maintenance of such highway, make application to such authority, which may, in writing, grant a permit for such opening or excavation upon such terms and conditions as to the manner in which such work shall be carried on as may be reasonable.

The Department is concerned as to how this new bill is intended to correlate if at all, with the current provision in law and how the need for additional repairs will be determined by the affected municipality. Under this proposal the local municipality has jurisdiction to determine what repairs are necessary and reasonable. The practical consequence of any such decision is that all related expenses as directed by the local municipality in connection to the repairs by the public service company would be deemed prudent and recoverable from ratepayers.

The Department thanks the Committee for this opportunity to comment and would be happy to work with policy makers on this issue.